

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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|----------------------------|---|-------------------------------|
| IN RE: | : | CHAPTER 13 |
| OSCAR ENRIQUE PARRA | : | |
| KARI LYN PARRA, | : | CASE NO. 1:19-bk-02858 |
| Debtors | : | |
| | : | |
| OSCAR ENRIQUE PARRA | : | |
| KARI LYN PARRA, | : | |
| Movants | : | |
| | : | |
| | : | |
| v. | : | |
| | : | |
| | : | |
| PORFOLIO RECOVERY | : | |
| ASSOCIATES LLC, | : | |
| Respondent | : | |

**MOTION TO AVOID LIEN OF RESPONDENT
UNDER SECTION 522(f) OF THE BANKRUPTCY CODE**

COME NOW the Debtors, by and through Dorothy L. Mott, Esquire and make this Motion respectfully stating in support thereof:

1. The Debtors filed a Chapter 13 Petition on 7/2/2019.
2. The Debtors are adult individuals residing at 417 Kraiss Avenue Chambersburg, PA 17201.
3. Respondent has a mailing address of 120 CORPORATE BLVD, NORFOLK, VA 23502.
4. The Respondent holds a judicial lien against the Debtors in the amount of \$1,308.80 entered in Franklin County at docket number # 2014-3417.
5. The Debtors have listed all property the Debtors own on the Bankruptcy schedules.
6. All property listed by the Debtor has been exempted as follows:

| Asset | Value | Lien | Exemption | Equity |
|---|-------------|-------------|-----------------------|-------------|
| 417 Kraiss Ave, Chambersburg, PA 17201 | \$75,000.00 | \$48,686.00 | 11 U.S.C. § 522(d)(1) | \$26,314.00 |

7. No one has challenged either the value of the property or the exemption claimed.
8. The Respondents do not have a purchase money security interest in household goods, or a possessory interest.
9. The judgment of the Respondent impairs the exemption of the Debtors under Section 522(d) of the Bankruptcy Code. The judgment is a judicial lien.
10. The Debtors seek under Section 522(f) of the Bankruptcy Code to avoid the judgment of the Respondent.

WHEREFORE, the Debtors respectfully request that this Court enter an Order avoiding the aforesaid judgment under Section 522(f) of the Bankruptcy Code and granting such other relief as this Court deems just.

Respectfully submitted,

/s/ Dorothy L. Mott
Dorothy L. Mott, Esquire
Attorney ID #43568
Mott & Gendron Law
125 State Street
Harrisburg, PA 17101
(717) 232-6650 TEL
(717) 232-0477 FAX
doriemott@aol.com

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| v. | |
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| | ⋮ |
| PORFOLIO RECOVERY | |
| ASSOCIATES LLC, | |
| Respondent | |
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CERTIFICATE OF SERVICE

I, Dorothy L. Mott, hereby certify that on January 14, 2021, I served a copy of the notice and Motion to Avoid Lien electronically or by placing the same in the United States Mail, First Class, postage pre-paid, addressed as follows:

CHARLES J DEHART, III ESQUIRE (via ECF)

PORTFOLIO RECOVERY ASSOCIATES LLC
120 CORPORATE BLVD
NORFOLK, VA 23502

/s/ Dorothy L. Mott
Dorothy L. Mott, Esquire
Attorney ID #43568
Mott & Gendron Law
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| ASSOCIATES LLC, | |
| Respondent | |
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ORDER

UPON consideration of the foregoing Motion to Avoid Judgment of Respondent under Section 522(f) of the Bankruptcy Code , it is hereby

ORDERED AND DECREED that the relief prayed for in the Motion be, and hereby is granted, to wit, the judgment of PORTFOLIO RECOVERY ASSOCIATES LLC in the approximate amount of \$1,308.80 entered in Franklin County at docket number # 2014-3417 be and hereby is avoided; it is further

ORDERED AND DECREED that a certified copy of this Order may be filed with the Prothonotary of Franklin County and the Prothonotary is directed to terminate the judgment in the judgment indices.

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

In re: Debtor(s) name(s) used by the debtor(s) in the last 8 years, including married, maiden, and trade):
Chapter:13

Oscar Enrique Parra

Kari Lyn Parra

Debtors

Case number:1:19-bk-02858

Matter: Motion to Avoid Lien

Oscar Enrique Parra

Kari Lyn Parra

Movants

vs,

PORTFOLIO RECOVERY ASSOCIATES LLC

Respondent

NOTICE

NOTICE OF OPPORTUNITY TO OBJECT AND HEARING: Pursuant to Local Rule 2002-1(a), the Court will consider this motion, objection or other matter without further notice or hearing unless a party in interest files an objection/response within twenty-one (21) days of the date of the notice. If you object to the relief requested, you must file your objection/response with the Clerk, U. S. Bankruptcy Court, 228 Walnut Street, Room 320, Harrisburg PA 17101 and serve a copy on the movant and movant's attorney, if one is designated.

If you file and serve an objection/response within the time permitted, the Court may schedule a hearing and you will be notified. If you do not file an objection within the time permitted the Court will deem the motion unopposed and proceed to consider the motion without further notice or hearing, and may grant the relief requested.

Date: January 14, 2021

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